

## Message Text

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51

ORIGIN PM-07

INFO OCT-01 EUR-25 ISO-00 DODE-00 L-03 SAM-01 CIAE-00

INR-11 NSAE-00 RSC-01 SS-20 SP-03 NSC-07 /079 R

DRAFTED BY PM/ISO:FJFLEMINGS:SAFGC:MR. ALLEN:DME

APPROVED BY PM/ISO:JDSTODDART

OSD/GC:MR. ALLEN

CNO/JAG:CAPT FRUCHTERMAN

OSD/ISA/FMRA:CDR GRUNAWALT

L/PM:MR. MICHEL

EUR/IB:MR. DURKEE

S/AM:MR. ENGELS

----- 053333

R 272322Z SEP 74

FM SECSTATE WASHDC

TO AMEMBASSY MADRID

INFO JUSMAG MAAG SPAIN

16TH AIR FORCE TORREJON AB SPAIN

ROONAGACTS NAVSTA ROTA LAW CENTER

CINCEUR

CINCUSNAGEUR

RINRASADE

C O N F I D E N T I A L STATE 214235

E.O. 11652:GDS

TAGS: MILIN SP

SUBJECT: HOME TO WORK CASES

REFS: (A) MADRID 3724 (B) USCINCEUR 250930Z JUN

(C) STATE O65578

DEPARTMENT AND DOD CONCUR WITH RATIONALE IN REF B THAT  
US GOVERNMENT SHOULD NOT AGREE TO PROCEDURES IN JOINT  
COMMITTEE WHICH REQUIRE ISSUANCE OF DUTY CERTIFICATES  
BASED ON CONSEQUENCES OF ACTIONS RATHER THAN NATURE OF  
DUTIES. WHILE WE RECOGNIZE THE INFORMAL UNDERSTANDING  
DESCRIBED IN REF A WOULD CONSTITUTE EXPEDIENT MEANS OF  
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RESOLVING LONG STANDING PROBLEMS

THE POTENTIAL DAMAGE

TO THE OFFICIAL DUTY CONCEPT IN SPAIN (AND ELSEWHERE IF THE ARRANGEMENT BECAME KNOWN IN OTHER COUNTRIES, SUCH AS THE PHILIPPINES) SEEMS LIKELY TO OUTWEIGH PRACTICAL ADVANTAGES THAT MIGHT BE OBTAINED. ACCORDINGLY, US REPRESENTATIVES IN PERMANENT SECRETARIAT SHOULD PROPOSE TO SPANISH REPRESENTATIVES IN LIEU OF PROCEDURE DESCRIBED IN REF A US MILITARY AUTHORITIES HENCEFORTH WILL NOT, IN THE ABSENCE OF PARTICULAR CIRCUMSTANCES INDICATING THE PERFORMANCE OF OFFICIAL DUTY, ISSUE DUTY CERTIFICATES IN CASES INVOLVING TRAVEL TO AND FROM WORK IN POV'S. THE US GOVERNMENT WILL SEEK WAIVERS OF SPANISH JURISDICTION IN THESE CASES IN ACCORDANCE WITH ARTICLE XVII OF THE AGREEMENT IN IMPLEMENTATION, AND TRUSTS THAT WAIVERS WILL NORMALLY BE GRANTED IN SUCH CASES. THIS SHOULD PRODUCE SAME PRACTICAL RESULT AS PROCEDURE DESCRIBED IN REF A WITHOUT CAUSING ABOVE MENTIONED PROBLEMS RE SCOPE OF OFFICIAL DUTY. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** MILITARY PERSONNEL, TRAVEL CONTROLS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 27 SEP 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** izenbei0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Film Number:** D740274-0939  
**From:** STATE  
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**Image Path:**  
**ISecure:** 1  
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**Office:** ORIGIN PM  
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**Original Previous Handling Restrictions:** n/a  
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**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** HOME TO WORK CASES  
**TAGS:** MILI, SP  
**To:** MADRID  
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